

FILED

AUG - 3 2006

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY *[Signature]*
DEPUTY CLERK

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 01 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

HENRY EUGENE JONES,

Plaintiff - Appellant,

v.

MEDICAL BOARD OF CALIFORNIA; et
al.,

Defendants - Appellees.

No. 04-16665

D.C. No. CV-04-00728-GEB
Eastern District of California,
Sacramento

ORDER

The court is in receipt of the parties' Stipulation Re Dismissal of Appeal Without Prejudice to Reinstatement, filed July 18, 2006. The Stipulation to dismiss the appeal without prejudice is granted. Pursuant to the Stipulation, the appeal is dismissed without prejudice to reinstatement.

Reinstatement shall be by notice filed by any party in this court and served on the other parties and the Circuit Mediator within 28 days of the final judgment in the parties' related case of Jones v. Medical Board of California, et al., Sacramento County Superior Court case number 05CS00067. If no notice of reinstatement is filed and served within 28 days of the final judgment in the related case, this appeal will be deemed dismissed with prejudice.

The parties shall bear their own costs and attorneys' fees on appeal.

A certified copy of this order shall serve as the mandate of this court.

FOR THE COURT



Stephen Liacouras
Circuit Mediator

A TRUE COPY CATHY A. CATTERSON Clerk of Court ATTEST
AUG 01 2006
by:  GM Deputy Clerk